

Court of Appeals, State of Michigan

ORDER

Julia Jedynak v Crain Communications Inc

Docket No. 281265

LC No. 06-628406-NZ

Brian K. Zahra
Presiding Judge

Helene N. White

Karen M. Fort Hood
Judges

The Court orders that the motion for immediate consideration is GRANTED.

The application for leave to appeal is DENIED for failure to persuade the Court of the need for immediate appellate review.

The motion for peremptory reversal is DENIED.

Zahra, J., joins in part the denial of leave and the denial of the motion for peremptory reversal, and states as follows:

I join the denial of leave and the denial of the motion for peremptory reversal with regard to plaintiff's age discrimination claim. Without reviewing the summary disposition pleadings, there is no basis on which one may conclude that the trial court erred in denying summary disposition on the age discrimination claim. Notwithstanding the absent pleadings, I would grant the motion for peremptory reversal on plaintiff's retaliation claim. Plaintiff's response to the application for leave states in a conclusory manner that she complained to her supervisor and others about discriminatory actions in her workplace. I have read and reviewed the portions of plaintiff's deposition that purportedly support of her claim but I found nothing to suggest that plaintiff complained about discrimination. To the contrary, plaintiff's deposition testimony clearly establishes she did not report her claim of discrimination to defendant. Jedynak Deposition pp. 230-234.

Presiding Judge



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 22 2008

Date

Sandra Schultz Mengel
Chief Clerk